IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

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DOUGLAS W. WEITZMAN, and PHILIP ZAUDERER, Derivatively on Behalf of J.C. PENNEY COMPANY, INC.,,

Plaintiff,

v.

MYRON E. ULLMAN III, KENNETH H. HANNAH, THOMAS ENGIBOUS, COLLEEN BARRETT, KENT FOSTER, GERALDINE LAYBOURNE, LEONARD ROBERTS, JAVIER TERUEL, R. GERALD TURNER, RONALD W. TYSOE, and MARY BETH WEST,

Defendants,

and

J.C. PENNEY COMPANY, INC.,

Nominal Defendant.

Case No. 4:13-CV-585-KPJ

Consolidated with: 4:13-cv-587-KPJ

SHAREHOLDER DERIVATIVE ACTION

FINAL JUDGMENT

Pursuant to the Court's Order Granting Final Approval of Settlement filed in this matter on this date, it is hereby, **ORDERED**, **ADJUDGED**, and **DECREED** that the above-entitled and numbered cause of action is **DISMISSED** in its entirety, with prejudice.

This is a **FINAL JUDGMENT**. All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 12th day of September, 2018.

KIMBERLY C. PRIEST JOHNSON UNITED STATES MAGISTRATE JUDGE